

# Non-Governmental Bodies

1. Departments reviewed proposed language.
2. Based on the proposed definition, solicited input on what a non-governmental body would be, and identified service providers that would be covered.
3. Identified professional service contracts and grant recipients believed not intended to be captured.
4. List of the entities that receive over 200K.

# Non-Governmental Bodies would be

## **Municipal service providers that:**

1. Provide a service that would otherwise typically be provided by a municipality such as:
  - operation of City owned facilities (cultural facilities, community/senior/youth centers, Convention Center, Dolce Hayes, golf courses, parking garages, airport, water treatment plant);
  - garbage pickup;
  - street repair; and
2. Receive in the aggregate over \$200,000 in a fiscal year directly from the City and/or Agency to provide the same type of service.

# Revised, Partial List of Potential Non-Governmental Bodies (based on assumptions above)

The Tech Museum of Innovation	San Jose Sports Authority
San Jose Historical Museum	Norcal, Greenwaste, Greenteam,
Mexican Heritage Corporation	AMPCO, Central Parking Systems
San Jose Repertory Theatre	Catholic Charities of SC County (operator of Washington Youth Center)
American Musical Theatre	Dolce International
San Jose Museum of Art	History San Jose (operates History Museum at Kelly Park)
San Jose Stage Company	Los Lagos LLC (Los Lagos Golf Course Operator)
Team San Jose	Logitech Ice
Children's Discovery Museum	

# Non-Governmental Bodies would not be:

## **Professional service contracts or grant recipients that:**

1. Support public art, outdoor special events, and social or recreational services.
2. Provide social, educational or recreational service programs to the public such as the ballet or other performing arts groups (not operating City-owned facilities), senior nutrition, health care, youth services, education, job training, legal aid, dependent care, housing, homeless shelters, food banks, neighborhood services/beautification, animal care, etc.
3. Provide a service that is internal support to the city organization (e.g. managing the City's benefits program, accounting services, utility billing, loan management transactions).

# Non-Governmental Bodies would not be:

## Professional Service Contracts or grant recipients that:

4. Provide support service to operate and maintain City-owned facilities (e.g. custodial maintenance, landscape service for city-owned facility, airport taxi/shuttle service, food service provider at convention center, retail tenants, security provider for city buildings).
5. Are already covered by the Brown Act (applies to both NGBs, NCGBs).
6. Hired to provide advice to the City such as auditors, architects, engineers, investment managers, custodian banks, actuaries, attorneys, etc.
7. Are under City or Agency contract to perform construction work or capital repair work.
8. Are under City or Agency contract for purchase of goods.

Non Governmental Body would be  
**Municipal Service Provider**  
(entity that exercises authority over a core service)

Non-governmental Body would NOT be  
**Professional Service Contract** or  
**Grant Recipient**  
(providing social service programs)

# Other Recommendations

1. Amount of funding that triggers a NGB should be aligned with the CMO/Finance's Authority to enter into agreements, and
2. Issues that trigger reporting to a Policy Body should be more specific and limited to the services the NGB/NCGB actually provides to the City
  - adoption of or amendments to budgets
  - levels of service
  - allocation of services to different areas or populations
  - number and qualifications of staff
  - maintenance and preservation of public facilities and/or property
  - any decision that may place the City or the public at risk of financial loss property damage or personal injury.



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